

United States District Court

DISTRICT OF

MASSACHUSETTS

MANUEL REZENDEZ

SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER:

F/V LEGACY, Pyrite International,
Inc. and Whaling City Seafood Display
Auction

TO: (Name and Address of Defendant)

Whaling City Seafood Display Auction
62 Hassey Street
New Bedford, Ma 02740

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

DAVID B. KAPLAN, ESQUIRE
KAPLAN BOND GROUP
Boston Fish Pier, West Building, Suite 304
Boston, MA 02210
(617) 361-0800

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

CLERK

DATE

BY DEPUTY CLERK



1-13-04

AO 440 (Rev. 1/90) Summons in a Civil Action

RETURN OF SERVICE

| | |
|---|---|
| Service of the Summons and Complaint was made by me ¹ | DATE <u>JANUARY 28, 2004</u> |
| NAME OF SERVER (PRINT) <u>THOMAS C. HYSLOP</u> | TITLE <u>PROCESS SERVER & DISINTERESTED PERSON</u> |
| Check one box below to indicate appropriate method of service | |
| <input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____ | |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ | |
| <input type="checkbox"/> Returned unexecuted: _____ _____ | |
| <input checked="" type="checkbox"/> Other (specify): <u>by SERVING "IN-HAND" UPON NELSON COUTO, FOREMAN, WHALING CITY SeaFood Display Auction, 62 HASSEY STREET, NEW BEDFORD, MA @ 2:45 PM</u> | |
| STATEMENT OF SERVICE FEES | |
| TRAVEL | SERVICES \$ <u>45.00</u> |
| TOTAL \$ <u>45.00</u> | |

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on JANUARY 28, 2004
Date

Thomas C. Hyslop
Signature of Server

92 STATE STREET, BOSTON, MA 02109
Address of Server

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.